

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Application of: Sridhar Krishna RABINDRAN; Haiyin HE; Lee Martin GREENBERGER
Serial No.: 10/086,132 Group Art No.: 1656
Filed: February 28, 2002 Examiner:
For: REVERSAL OF MULTIDRUG RESISTANCE IN HUMAN COLON
CARCINOMA CELLS
Confirmation No.: 3248
Customer Number: 25291
Commissioner for Patents
Washington, DC 20231

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**AMENDMENT, REQUEST AND FEE TO DELETE AND/OR
ADD TO ORIGINAL ERRONEOUSLY NAMED OR NOT NAMED
INVENTOR(S) IN—NONPROVISIONAL APPLICATION—DECLARATION
(37 C.F.R. § 1.48(a))**

1. Explanation of the Facts

Upon review, on November 26, 2002, of the case file for Case No. ACY33316 D3, filed February 28, 2002, Serial No. 10/086,132, it was discovered that there was a typographical error made in the APPLICATION FOR TRANSMITTAL UNDER 37 CFR 1.53 (b) under item 16 (a) where the name of inventor, Sridhar Krishna Rabindran, was listed as being deleted as an inventor. This deletion was in error because Maya Prakash Singh should have been entered under item 16 (a). A petition under 37 CFR 1.48 (b) was filed which deleted Maya Prakash Singh. This error occurred without deceptive intent. Apparently, as a result of the typographical error, Sridhar Krishna Rabindran was not listed on the filing receipt. It is requested that the name of Sridhar Krishna Rabindran be added as an inventor. The correct inventors of the present divisional application are Sridhar Krishna RABINDRAN; Haiyin HE; and Lee GREENBERGER.

CERTIFICATE OF MAILING 37 CFR §1.10

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EU238168111US addressed to the Commissioner for Patents, Washington, DC 20231.

January 22, 2003
Date


Daniel B. Moran

2. Addition of Inventor(s)

- Add the following previously unnamed person(s) as inventor(s) of this application:

Sridhar Krishna Rabindran

3. Attachments

Attached is

- (a) A statement from:

each person being added as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).

- (b) a declaration by each of the actual inventor(s) as required by 37 C.F.R. § 1.63 (or as permitted by §§ 1.42, 1.43, OR 1.47). 37 C.F.R. § 1.48(a)(2).
- (c) written assent of the assignee (if any of the original inventors executed an assignment) 37 C.F.R. 1.48(a)(4).

4. Fee Payment (37 C.F.R. § 1.17(l)-\$130.00)

- The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Deposit Account No. 01-1300.
- 37 CFR 1.16(a), (f), or (g) filing fees
- 37 CFR 1.16(b), (c), and (d) presentation of extra claims
- 37 CFR 1.16(e) surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application.
- 37 CFR 1.17 application processing fees
- If any additional fees are required, the Commissioner is hereby authorized to charge any such additional fees under the rules to be paid to the Deposit Account No. 01-1300.

A duplicate of this paper is attached.



Daniel B. Moran
SIGNATURE OF PRACTITIONER

Daniel B. Moran
Agent for Applicants
Reg. No. 41,204

Daniel B. Moran
Wyeth
Patent Law Department
Five Giralta Farms
Madison, New Jersey 07940
Tel. No.: (845-602-2224)



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DECLARATION

I Sridhar Krishna Rabindran declare that I am a true coinventor of the above described patent application and further declare that I am aware of the typographical error in the transmittal form on filing the patent application and further declare that without deceptive intent was not listed on the filing receipt. Further, that I should be listed as a coinventor on the above named patent application.

DECLARATION

I hereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

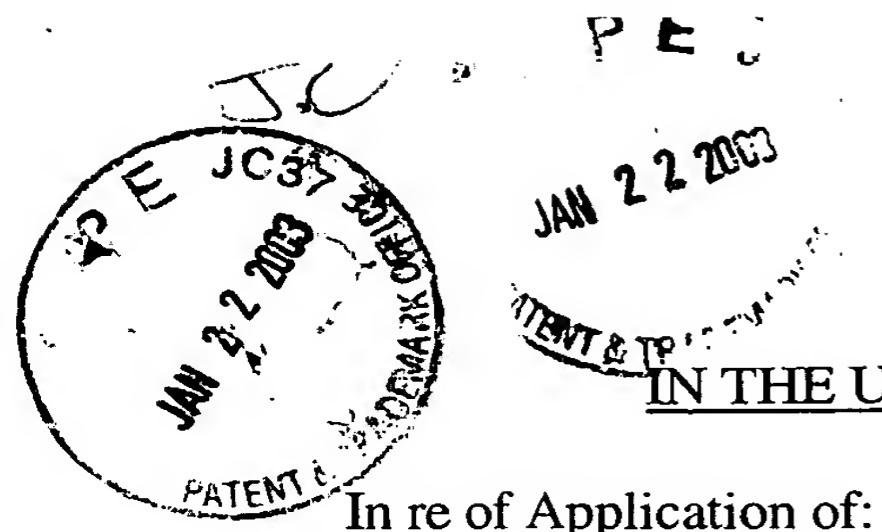
Full name of JOINT INVENTOR: Sridhar Krishna Rabindran

Inventor's Signature Sridhar Krishna Rabindran Date 1/15/03

Country of Citizenship: India

Residence : 2 Pamela Drive, Chestnut Ridge, New York 10977

Post Office Address: Same as Residence



1-23-03

Docket No: ACY33316 D3
Patent

Receipt

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Sridhar Krishna RABINDRAN; Haiyin HE; Lee Martin GREENBERGER

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Washington, DC 20231

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REQUEST FOR CORRECTED FILING RECEIPT

Sir:

1. Attached is a copy of the official filing receipt received from the PTO in the above application for which issuance of a corrected filing receipt is respectfully requested.
2. There is an error with respect to the following data which is:

incorrectly entered

and/or

omitted

CERTIFICATE OF MAILING 37 CFR §1.10

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EU238168111US addressed to the Commissioner for Patents, Washington, DC 20231.

Date

January 22, 2003

Daniel B. Moran

ERROR IN

1. Applicant's Name
 2. Applicant's Address
 3. Title
 4. Filing Date
 5. Serial Number
 6. Foreign/PCT Appln. Re
 7. Other
3. A. The correction(s) is/are not due to any error by applicant and no fee is due.

CORRECT DATA

1. Sridhar Krishna Rabindran
2. 2 Pamela Drive, Chestnut Ridge, New York 10977
- 3.
- 4.
- 5.
- 6.
- 7.

OR

- B. At least one of the above corrections is due to applicant's error. If any fees are required, the Commissioner is hereby authorized to charge any such additional fees under the rules to be paid as follows:
- Charge Deposit Account No. 01-1300.



Daniel B. Moran
Reg. No. 41,204

Wyeth
Patent Law Department
Five Giralda Farms
Madison, NJ 07940
Tel. No. (845) 602-2224



Docket No: ACY33316 D3
Patent

COMBINED DECLARATION AND POWER OF ATTORNEY
(Original, Design, Supplemental, Divisional, Continuation, CIP)

As the below named inventor, I hereby declare that: Sridhar Krishna RABINDRAN; Haiyin HE; Lee Martin GREENBERGER

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

REVERSAL OF MULTIDRUG RESISTANCE IN HUMAN COLON CARCINOMA CELLS

SPECIFICATION IDENTIFICATION

the specification of which: (complete (a), (b), or (c))

- (a) is attached hereto.
- (b) was filed on February 28, 2002 as
 - Serial Number 10/086,132
 - Express Mail No. , as Serial Number not yet known
- (c) was described and claimed in PCT International Application No. filed on and as amended under PCT Article 19 on (if any).

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37 CFR 1.56(a).

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventors certificate or of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate of any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed.

- (d) No such applications have been filed.
(e) Such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designated the U.S. claimed priority, check item (e), enter the details below and make the priority claim.

Earliest Foreign Application(s), if any, filed within 12 months (6 months for Design) prior to this U.S. Application

Country	Application No.	Date of Filing (Day, Month, Year)	Priority Claimed 35 USC 119

All Foreign Application(s), if any, Filed More Than 12 Months
(6 Months for Design) Prior to This U.S. Application)

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(35 U.S.C. § 119(E))**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER	FILING DATE
<u>60/109,801</u>	<u>May 27, 1998</u>

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)
(UNDER 35 U.S.C. 120)**

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT International filing date of this application.

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120**

U.S. Applications		Status (Check One)		
U.S. Applications	U.S. Filing Date	Patented	Pending	Abandoned
09/321,182	May 27, 1999	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PCT Applications Designating U.S.

PCT APPLICATION NO.	PCT FILING DATE (Day, Month, Year)	U.S. SERIAL NO. ASSIGNED (if any)

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Customer Number: 25291

Bar Code:



Attached as part of this declaration and power of attorney is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO:

Customer Number: 25291

Bar Code:



DIRECT ALL TELEPHONE CALLS TO:

Name: Daniel B. Moran

Tel. No. (845) 602-2224

DECLARATION

I hereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Full name of SOLE OR FIRST INVENTOR: **Sridhar Krishna RABINDRAN**

Inventor's Signature Sridhar Krishna Rabindran Date 1/15/03

Country of Citizenship: **India**

Residence : **2 Pamela Drive, Chestnut Ridge, New York 10977**

Post Office Address: **Same as residence**

Full name of SECOND JOINT INVENTOR: **Haiyin HE**

Inventor's Signature Haiyin He Date 1/15/2003

Country of Citizenship: **United States of America**

Residence : **189 Howard Street, Washington Township, New Jersey 07675**

Post Office Address: **Same as residence**

Full name of THIRD JOINT INVENTOR: **Lee Martin GREENBERGER**

Inventor's Signature J. Martin Greenberger Date 1/15/2003

Country of Citizenship: **United States of America**

Residence : **253 Midland Avenue, Montclair, New Jersey 07042**

Post Office Address: **Same as residence**

Full name of FOURTH JOINT INVENTOR:

Inventor's Signature _____ Date _____

Country of Citizenship:

Residence :

Post Office Address:

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**ASSENT OF ASSIGNEE TO CORRECTION
AND/OR ADDITION OF INVENTOR(S)**

**Wyeth Holdings Corporation
(formerly American Cyanamid Company)**

5 Giralta Farms

Madison, New Jersey 07940

Assignment

- Recorded on _____ 07/30/1999 _____
 Reel _____ 010137 _____
 Frame _____ 0512 _____
 Recorded herewith
 A separate "ASSIGNMENT" (DOCUMENT) COVER SHEET
is attached.

or

- FORM PTO 1595 is attached.

Assignee hereby assents to the correction of inventorship filed

- herewith.
 on _____

CERTIFICATE OF MAILING 37 CFR §1.10

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Date


Daniel B. Moran

ASSIGNEE STATEMENT

A "STATEMENT UNDER 37 C.F.R. § 3.73(b)" is attached.

Title: Assertion of Assignee

Wyeth Holdings Corporation (Formerly known as American Cyanamid Company)

hereby assents to the addition of Sridhar Krishna Rabindran as an inventor in the above captioned application.

William Calnan is authorized as an officer of Wyeth Holdings Corporation (formerly American Cyanamid Company) to act on behalf of the assignee with respect to this matter.

WYETH HOLDINGS CORPORATION

By:



Signature

William H. Calnan
Assistant Secretary
Authorized to sign on behalf of assignee